

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

VANCE HARRIS, JR,	§	
	§	
Plaintiff,	§	
VS.	§	CIVIL ACTION NO. C-05-72
	§	
CASTRO, <i>et al</i> ,	§	
	§	
Defendant.	§	

OPINION AND ORDER ON INSTRUMENT #73

Plaintiff has filed a pleading titled "Dispositive Motions" (D.E. 73). In it plaintiff appears to be setting forth the relief he will request from the jury if he prevails. To the extent plaintiff is setting forth the amount of monetary damages he is requesting, his pleading will be considered as an amendment to the "relief sought" section of his complaint. Plaintiff's request for parole is denied. Parole is not available as relief in a § 1983 lawsuit. If plaintiff is seeking release from custody, his claims must be raised in a habeas petition pursuant to 28 U.S.C. § 2254. *Preiser v. Rodriguez* , 411 U.S. 475 (1973).

All relief not granted in this order is denied.

ORDERED this 10th day of February, 2006.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE